

UPDATED INFORMATIVE DIGEST

Social Rehabilitation Facilities (SRFs) are facilities licensed by the California Department of Social Services (CDSS), Community Care Licensing Division (CCLD) and certified by the California Department of Health Care Services (DHCS). Current laws (Health and Safety Code sections 1500 through 1567.87) and regulations (California Code of Regulations (CCR) Title 22, Division 6, Chapter 2) govern the management of SRFs regarding the care and supervision of clients, including client management, facility management, staff background checks, training and documentation requirements. SRFs provide care and supervision to mentally ill adults recovering from mental illness who temporarily need assistance, guidance or counseling. There are approximately 102 licensed SRFs in California.

The CCLD has been working with the California Association of Social Rehabilitation Agencies (CASRA) to identify necessary regulatory amendments that will improve the quality of care and supervision provided in the SRFs as short-term crisis facilities. This regulatory package will update the SRF regulations with changes originated as a result of stakeholder meetings with CASRA. The CASRA requested that these amendments be made to meet the needs of the client population served by this facility type. Some examples of these requested amendments include:

- Allowing clients to have access to cleaning supplies, when appropriate.
- Amend the total licensed capacity language to more closely align with Medi-Cal standards.
- Update all regulatory references from "accept" and "acceptance" to "admit" or "admittance" for clarity and consistency.
- Allow licensees to ensure that a client's Needs and Services Plan is completed within three days of admission, rather than prior to admission.
- Allow short-term crisis facilities to give clients an eviction notice of fewer than 30-days.
- Clarity on uncovered trash cans.

These regulatory amendments are being made to meet the needs of the client population served by the SRFs. The amendments include clean-up of some terms that are not used consistently, align the regulations with Medi-Cal standards and better support the functionality of these short-term crisis facilities.

During the process of developing these regulations, CDSS has conducted a search of any similar regulations on this topic and has concluded that these regulations are neither inconsistent nor incompatible with existing state regulations.

These regulations were considered at the public hearing held on September 22, 2016 in Sacramento, California. Oral testimony was received at the hearing. Written testimony was not received during the 45-day comment period from August 5 to September 22, 2016.

Following the submittal of this regulatory package to the Office of Administrative Law (OAL) and based on OAL feedback, the package was withdrawn to make some regulatory changes and renotice it so that the public could have an opportunity to review the regulatory changes before the package is

resubmitted to OAL for final review and filing with the Secretary of State. The regulatory changes made include:

- Section 81071(b)(3) was amended to clarify that if the register of clients is removed from the licensing facility, it shall be returned in the condition that it was received.
- Section 81071(c)(1) was amended for clarity.
- Section 81075(o)(3) was amended to clarify that "to meet the needs of the client" means "consistent with the Needs and Services Plan."
- Section 81075(o)(3)(C) was amended to clarify that the licensee or designee shall review and document staff performance annually for the purpose of quality assurance.
- Section 81075(o)(8) is amended to remove the phrase "fails to make sufficient progress in meeting the plan's goals, or otherwise" from the regulation as it may cause confusion to the reader.

Also, based on OAL and the Department of Finance feedback, it was discovered that the wrong Local Mandate Statement was used as the implementation of these regulations do not impose a mandate on local agencies and therefore it should read as follows:

These regulations do not impose a mandate on local agencies. There are no state-mandated local costs in this order that require reimbursement under the laws of California. Implementation of the regulations only impact licensees that make the business decision to admit the clients which would require these regulatory provisions. In addition, some of these regulations actually ease the requirements upon the licensee.

Pursuant to Government Code Section 11346.8, a 15-day renote and complete text of modifications made to the regulations and its supportive documents were made available to the public following the public hearing. The renote period was from June 27 to July 12, 2017. There were no comments received as a result of the renote and no further amendments have been made to the regulations.